

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application and note<sup>5</sup> with appreciation that claims 3-7, 13, and 16-21 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims.

Solely to expedite prosecution, the pending claims are amended as follows:

Claim 1 is amended to include the subject matter of allowable claim 3 and intervening claim 2. Claims 2 and 3 are cancelled.

Claim 4 now depends on claim 1.

Claims 8-12 are allowable as depending on allowable base claim 1 and for the additional limitations they provide.

Claim 13 is rewritten in independent form.

Claim 14 is amended to include the subject matter of allowable claim 16 and intervening claim 15. Claims 15 and 16 are cancelled.

Claim 17 now depends on claim 14.

Claim 18 is rewritten in independent form and also includes the subject matter of dependent claims 15-17.

Claim 21 is rewritten in independent form.

The claims no longer require the tape to be magnetic and thus cover other types of tape, such as optical tape.

Claims 22, 23, and 29 are added to include alternative features cancelled from claims 13, 14, and 21, respectively. Claims 24 and 26 are similar to amended claim 14, but are not limited to apparatus such as error checking apparatus and a history store. Claim 24 says an output is generated if the data block includes an error. Claim 26 says an output is generated if the data block includes more than a predetermined number of errors. Claim 24 says there is a rewrite until all data blocks have been written without error. Claim 26 says there is a rewrite until all data blocks have been written with fewer than a predetermined number of errors.

The amendments to the claims render moot the rejection of claims 1, 2, 8-12, 14, and 15 under 35 U.S.C. §102(b) as being anticipated by EP 0 957 484 to Bartlett. (Applicant notes for the record that EP '484 corresponds to U.S. 6,539,514.) The newly added claims should be allowable with the previously submitted claims. Accordingly, favorable reconsideration and allowance are deemed in order.

To any extent necessary during prosecution of this application, Applicant hereby requests an extension of time not otherwise requested and hereby authorizes the Commissioner to charge any required fees not otherwise provided for, including

extension of time and extra claims fees, to Deposit Account No.  
07-1337.

Respectfully submitted,

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